

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

E-Filed on 12/19/07

1 3993 Howard Hughes Parkway, Suite 600  
2 Las Vegas, NV 89169-5996  
3 Facsimile (702) 949-8321  
4 Telephone (702) 949-8320

5 40 North Central Avenue, Suite 1900  
6 Phoenix, Arizona 85004-4429  
7 Facsimile (602) 734-3824  
8 Telephone (602) 262-5756

9 Susan M. Freeman AZ State Bar No. 004199  
10 Email: sfreeman@lrlaw.com  
11 Rob Charles NV State Bar No. 006593  
12 Email: rcharles@lrlaw.com

13 Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**WITHDRAWAL OF OBJECTION  
TO PROOFS OF CLAIM FILED BY  
JAMES CIELEN FOR LACK OF  
DOCUMENTATION**

**Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Hearing Date: December 20, 2007  
Time: 9:30 a.m.

**PLEASE TAKE NOTICE** that the USACM Liquidating Trust ("USACM Trust") filed its Eighth Omnibus Objection to Proof of Claim for Lack of Documentation ("Objection") on November, 19, 2007 [DE 5371], which included an objection to Proofs of Claim No. 10725-01579 in the amount of Cielen \$43,750.00 and Claim No. 10725-01570 in the amount of \$31,250.00 ( the "Claims") filed by James ("Cielen").

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1 Cielen informally responded to the USACM Trust's Objection and provided  
2 documentation to support his Claims.

3 WHEREFORE, the USACM Trust withdraws its objection to the Claims. The  
4 USACM Trust reserves the right of any party in interest, including the USACM Trust, to  
5 further object to the Cielen Claims.

6 DATED: December 19, 2007  
7

**LEWIS AND ROCA LLP**

8 By: /s/ RC (#6593)

9 Susan M. Freeman, AZ 4199 (*pro hac vice*)  
Rob Charles, NV 6593

10 *Counsel for USACM Liquidating Trust*

11 COPY of the foregoing mailed  
12 December 19, 2007, to:

13 James Cielen  
14 9775 South Maryland Parkway  
#F102  
15 Las Vegas, Nevada 89123

16 /s/ Christine E. Laurel  
17 Christine E. Laurel

18  
19  
20  
21  
22  
23  
24  
25  
26